

December 23, 2014



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 16174
(SECOND REVISION)

EXPIRATION DATE: September 30, 2016

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Goal Zero
Bluffdale, UT
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain defective lithium ion batteries and lithium ion batteries contained in equipment that do not meet the UN test requirements for the purpose of recall. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.185(a)(1) in that batteries do not pass the T.7 (overcharge) test in accordance with the UN Manual of Tests and Criteria, 5th Revised Edition.
5. BASIS: This special permit is based on the application of Goal Zero dated May 23, 2014 submitted in accordance with § 107.105, the public proceeding thereon, and additional information dated August 21, 2014, November 28, 2014, and

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December 18, 2014.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium battery*	9	UN3090	II
Lithium ion batteries*	9	UN3480	II
Lithium ion battery contained in equipment*	9	UN3481	II

* Defective lithium ion batteries and lithium ion batteries contained in equipment that met all requirements of § 173.185(a) prior to becoming defective may be transported in packagings under the terms of this special permit.

7. SAFETY CONTROL MEASURES:

- a. Lithium ion batteries with brand names Sherpa 50 and Sherpa 100 to be recalled may not be rated to more than 50 Wh and 120 Wh, respectively.
- b. The total number of defective lithium ion batteries and those contained in equipment to be recalled may not exceed 8,200 under this special permit.
- c. Each battery must be protected against short-circuits or installed in equipment.
- d. The completed packages must be left in a safe place for at least five (5) days before contacting a carrier for pick up.

8. PACKAGING:

- a. A defective lithium ion battery or lithium ion battery contained in equipment must be individually placed in a leak-proof plastic bag (inner packaging).
- b. The inner packaging containing the battery or lithium ion battery contained in equipment must be surrounded with

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inert absorbent material sufficient to absorb any release of electrolyte.

c. Each inner packaging must be placed in an intermediate metal container (one (1) gallon in size for defective lithium batteries and five (5) liters in size for those contained in equipment) which is secured with a lid.

d. The intermediate packaging containing the defective lithium ion battery must be placed in an UN 4GV outer packaging and certified to the Packing Group II performance level.

e. Non-combustible and non-conductive cushioning material must fill the void spaces, if applicable, within the 4GV box to protect from the effects of shock and vibration and to prevent movement of the batteries.

f. The filled 4GV box must be properly closed and sealed.

g. A venting device must be used if needed.

h. MARKING - Each package shipped under the terms of this special permit must be marked "Defective Lithium-ion Batteries" on a contrasting background in proximity to the markings and labels required by the HMR.

9. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

10. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle, and rail freight.

11. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

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12. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

13. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials

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incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie

Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Hwang/TG